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March 9, 2005 Date

David L. Parker

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Isaiah J. Fidler Corazon D. Bucana

Serial No.: 10/010,763

Filed: November 2, 2001

For: METHODS FOR DETECTING THE

EFFICACY OF ANTICANCER

TREATMENTS

14

Group Art Unit: 1642

Examiner: Ungar, Susan NMN

Atty, Dkt. No.: UTSC:684US

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MS AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

07/25/2006 BABRAHAI 00000042 501212 01 FC:1806 180.00 DA

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In accordance with 37 C.F.R §§ 1.97(g), (h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

A fee as set forth in 37 C.F.R. § 1.17(p) in the amount of \$180.00 is enclosed herewith. If an appropriate check has not been enclosed, or if it is insufficient, the Commissioner is authorized to deduct the appropriate fee from Fulbright & Jaworski Account No.: 50-1212/UTSC:684US.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted

David L. Parker Reg. No. 32,165 Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701

(512) 474-5201

Date:

March 9, 2005

Ø 001/019

JUL 2 1 2006

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FACSIMILE TRANSMISSION

Date:	July 21, 2006	MAT	TER NUMBEI	R: 01982	10110590
RECIPIEN	T(S):	Fax No.:		PHONE NO.:	
	Susan Ungar, Ph.D. Group Art 1642	571-273-8300			
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From:	David Parker			FLOOR:	2001
PHONE:	(512) 536-3055	Fax:	(512) 536-4	4598	
Re:	Serial No. 10/010,763				
Number (OF PAGES INCLUDING COVER PAGE:	19			
Aessage:					

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DAVID PARKER
PARTNER
DPARKER@FULBRIGHT.COM

DIRECT DIAL!

(SI2) 538-3065

TELEPHONE:

(512) 474-5201

FACSIMILE:

(512) 536-4598

July 21, 2006

CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. § 1.8

I hereby certify that this correspondence is being transmitted to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Am: Examiner Dagar, GAU 1642, facsimile number (571) 279-8300 on the date below:

July 21, 2006

Date

Devid L. Parker

Examiner Susan Ungar, Ph.D.
United States Patent and Trademark Office
Group Art Unit 1642
P. O. Box 1450
Alexandria, VA 22313-1450

Re:

Serial Number 10/010,763 Entitled "METHODS FOR DETECTING THE EFFICACY OF ANTICANCER TREATMENTS" by Isaiah J. Fidler and

Corazon D. Bucana

Our Ref. No. UTSC:684US

Dear Examiner Ungar:

After reviewing each of the Office Actions and the Notice of Allowability, it has come to our attention that the Supplemental Information Disclosure Statement, Form PTO-1449 and A1-A3, C1-C7 and C19-C30 references submitted on February 7, 2002, the Supplemental Information Disclosure Statement, Form PTO-1449 and A4 and C31-C33 references submitted on July 24, 2002, and the Supplemental Information Disclosure Statement, Form PTO-1449 and C34-C38 references submitted on March 9, 2005, were apparently never signed off by an Examiner.

For your convenience we have enclosed a copy of each of the Supplemental Information Disclosure Statements and Form PTO-1449s that were filed with the Patent and Trademark Office (PTO) on 7 February 2002, 24 July 2002, and 9 March 2005, respectively. Also enclosed are copies of PTO stamped postcards indicating the documents submitted. The copies of the references previously submitted have not been enclosed. Please let us know if you would like us to resubmit those as well.

Please review and approve these Supplemental Information Disclosure Statements. If you need additional information, please let us know.

Examiner Susan Ungar, Ph.D. July 21, 2006 Page 2

Thank you for your assistance in this matter.

David L. Parker

truly yours,

DLP/jch Enclosures

Please indicate receipt of the below-identified paper:	
New Application For: Priority Date:	ite:
Foreign priority already claimed	
Continuation CP Divisional	CPA 🗀 ·
Specification: Pages Drawings:	Sheets
Response to Office Action Dated: 11/9/04	Final Rejection
🔯 Other: Request for Extension of Time; Supplemental IDS (wil449 and refs. C34-C38); \$235 check); transmittal letter	34-C38); \$235 check); transmittal letter
Assignment Enclosed X Cert. of Timely Mailing	Exp. Mark 1 6 40
IDENTIFICATION OF APPLICATION	NOI
Serial No.: 10/010,763	A TOTAL
Title: Methods for Detecting the Efficacy of Anticancer Treatments	· NE
Applicant: Fidler et al.	Attorney:
Client: M. D. Anderson Cancer Center	F&J File No.: UTSC:684US
Mailed: 3/9/05 Filed:	Due Date: 2/9/05

							Page 1 of 1			
Form P	TO-1449	9 (modified)		Atty. Docket N UTSC:684US	o.	Serial 10/010				
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INFO	INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)			Filing Date:						
U.S. Patent Documents Foreign P			n Patent Document		0	ther Art				
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Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.			
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	C34	mediated signal	transduction w	an carcinomas in ath rith cp-358774: dyn: Assoc Cancer Res, A	amics of re	ceptor inhib	on of egf receptor- sition and anti-tumor			
	C35	phosphorylation	in human care	idermal growth factorinomas with cp-358 ic mice," JPET, 291	,774: dynat	nics of rece	tyrosine ptor inhibition in situ			
	C36 Prewett et al., "Mouse-human chimeric anti-epidermal growth factor receptor antibody C225 Inhibits the growth of human renal cell carcinoma xenografts in nude mice," Clinical Cancer Research, 4:2957-2966, 1998.									
	C37	Prewett et al., "human prostate	The biologic ef carcinoma," J	fects of C225, a chir of Immunotherapy, 1	neric mono 9:419-427,	clonal antib 1997.	oody to the egfr, on			
	C38 Scardino and Wheeler, "Local control of prostate cancer with radiotherapy: frequency and prognostic significance of positive results of postirradiation prostate biopsy," NCI Monogr, 7:95-103, 1988.									

25511056.1

DATE CONSIDERED: Examiner:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

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Please indicate receipt of the below-identified paper:						Other: SIDS; Form PTO-1449; References (A4, C31-C33); trans. ltr.; postcard		Cert. of Timely Mailing	DENTIFICATION OF APPLICATION		Tille: METHODS FOR DETECTING THE EFFICACY OF ANTICANCER TREATMENTS	Sucana		•
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te receipt	New Application For:	Foreign priority already claimed	Continuation	Specification:	Response to Office Action Dated:	DS; Form P		Assignment Enclosed		10/010,763	ODS FOR I	iah J. Fid		Mailed: July 24, 2002
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FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP 600 CONGRESS AVENUE, SUITE 2400 AUSTIN, TEXAS 78701-3271 WWW.FULBRIGHT.COM

STEVEN L. HIGHLANDER
PARTNER
SHIGHLANDER@FULBRIGHT.COM

DIRECT DIAL: TELEPHONE: FACSIMILE: (\$12) 536-3184 (\$12) 474-5201 (512) 536-4598

July 24, 2002

CERTIFICATE OF MAILING 37 C.F.R 1.8

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pelow:

July 24, 2002 Date

n Highlander

Commissioner for Patents Washington, DC 20231

Re:

U.S. Patent Application No. 10/010,763 entitled "METHODS FOR DETECTING THE EFFICACY OF ANTICANCER TREATMENTS" by Isaiah J. Fidler and Corazon D.

Bucana

Our Reference: UTSC: 684US Client Reference: MDA00-053

Sir:

Enclosed for filing in the above-referenced patent application is a Supplemental Information-Disclosure Statement, Form PTO-1449, and references (A4, C31-C33).

No fees are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Commissioner is hereby authorized to deduct said fees from Fulbright & Jaworski Deposit Account No.: 50-1212/UTSC:684US.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

ecffully submitted,

Steven L.) Highlander Reg. No. 37,642

SLH/cmb Encl.: as noted 25189805.1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Isaiah J. Fidler Corazon D. Bucana

Serial No.: 10/010,763

Filed: November 2, 2001

For: METHODS FOR DETECTING THE EFFICACY OF ANTICANCER TREATMENTS

Group Art Unit: 1645

Examiner: Unknown

Atty. Dkt. No.: UTSC:684US

CERTIFICATE OF MAILING 37 C.F.R 1.8

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below:

July 24, 2002

Steven 0. Highlander

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R §§ 1.97(g), (h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be

07/21/2006 15:49 FAX 512 536 4598 FULBRIGHT @ JAWORSKI

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construed to be an admission that the information cited is, or is considered to be, material to

patentability as defined in 37 C.F.R. § 1.56(b).

The present Supplemental Information Disclosure Statement is being filed prior to the

receipt of a first Official Action reflecting an examination on the merits, and hence is believed to

be timely filed in accordance with 37 C.F.R § 1.97(b). No fees are believed to be due in

connection with the filing of this Supplemental Information Disclosure Statement, however,

should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to

these materials, the Commissioner is hereby authorized to deduct said fees from Fulbright &

Jaworski Deposit Account No.: 50-1212/UTSC:684US.

Applicants respectfully request that the listed documents be made of record in the present

casc.

Respectifully submitted,

Steven L. Highlander

Reg. No. 37,642

Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P. 600 Congress Avenue, Suite 2400 Austin, Texas 78701 (512) 474-5201

Date:

July 24, 2002

Form PTQ-1449 (modified)

See Page 1

Atty. Docket No.

Page 1 of 1

List of Patents and Publications for Applicant's

UTSC:684US
Applicant
Isainh J. Fidler

Information Disclosure Statement

Corazon D. Bucana

Filing Date:

Group: 1645

Serial No.

10/010,763

(Use several sheets if necessary)
U.S. Patent Documents

November 2, 2001 1645

Foreign Patent Documents Other Art
See Page 1 See Page I

U.S. Patent Documents

Exam Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	Α4	5,480,968	1/2/96	Kraus et al.	530	326	11/10/92

Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation						
	C31	Albanell et al., "Pharmacodynamic studies of the specific oral EGFR tyrosine kinase inhibitor (EGFR-TKI) zd1839 ('Iressa') in skin from cancer patients participating in phase I trials: histopathological and molecular consequences of receptor inhibition," European Journal of Cancer, 37(Supp. 6): S159, 2001.						
	C32	Parker et al., "Preferential activation of the epidermal growth factor receptor in human colon carcinoma liver metastases in nude mice," J. of Histochemistry and Cytochemistry, 46(5):595-602, 1998.						
	C33	Pollack et al., "Inhibition of epidermal growth factor receptor-associated tyrosine phosphorylation in human carcinomas with CP-358,774: dynamics of receptor inhibition in situ and antitumor effects in athymic mice," J. Pharmacology and Experimental Therapeutics, 291(2):739-748, 1999.						

25189785.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

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(y)			CPA	Sheets	Final Rejection	ostcard	Exp. Mail:	NC NC		IMENTS	Attomey: SLH	F&J File No.: 1 UTSC:684US	A,Due Date:
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below-identified paper		y claimed	CIP	Pages	Dated:	; References (A1-A3, C1-C	Cert. of Timely Mailing	DENTIFICATIO		TENG THE EFFICACY OF	Corazon D. Bucana	cer Center	Filed:
Please indicate receipt of the below-identified paper:	New Application For:	Foreign priority already claimed	Continuation	Specification:	Response to Office Action Dated:	Other: DS; Form PTO-1449; References (A1-A3, C1-C30); Transmittal letter; Postcard	Assignment Enclosed		Serial No.: 10/010,763	Title: METHODS FOR DETECTING THE EFFICACY OF ANTICANCER TREATMENTS	Applicant: Isaiah J. Fidler and Corazon D. Bucana	Client: UT MD Anderson Cancer Center	Mailed: February 7, 2002

JUL 2 1,2006

FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP 600 CONGRESS AVENUE, SUITE 2400 AUSTIN, TEXAS 78701

HOUSTON WASHINGTON, D.C. AUSTIN SAN ANTONIO DALLAS NEW YORK LOS ANGELES LONDON

February 7, 2002

TELEPHONE: 512/474-5201

FACSIMILE: 512/536-4598

STEVEN L. HIGHLANDER

PARTNER

INTERNET ADDRESS:

DIRECT DIAL: 512/536-3184

FILE: UTSC:684US

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February 7, 2002

below:

Date Steven . Highlander

Commissioner for Patents Washington, DC 20231

RE:

SN 10/010,763 "METHODS FOR DETECTING THE EFFICACY OF ANTICANCER

TREATMENTS" - Isaiah J. Fidler and Corazon D. Bucana

(Client Reference: MDA00-053)

Sir:

Enclosed for filing in the above-referenced patent application is an Information Disclosure Statement, Form PTO-1449, and references (A1-A3, C1-C30).

No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Commissioner is hereby authorized to deduct said fees from Fulbright & Jaworski Deposit Account No.: 50-1212/10110590/SLH.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,

Highlander Reg. No.

SLH/cmb

Encl: as noted

JUL 2 1 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Isaiah J. Fidler Corazon D. Bucana

Serial No.: 10/010,763

Filed: November 2, 2001

For: METHODS FOR DETECTING THE

EFFICACY OF ANTICANCER

TREATMENTS

Group Art Unit: 1645

Examiner: Unknown

Atty, Dkt. No.: UTSC:684US/SLH

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below:

February 7, 2002

Date

Stever L. Highlander

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents Washington, D.C. 20231

Sir:

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Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

Steven L. Highlander Reg. No. 37,642

Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P. 600 Congress Avenue, Suite 2400 Austin, Texas 78701 (512) 474-5201

Date:

February 7, 2002

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Form I	TO-144	19 (modified)			Atty. Docket	No.		Serial		
					UTSC:684US/SLH 10/010,763					
List of I	Patents a	nd Publications f	or Applicant's	1	Applicant Isalah J. Fidler					
TNE	'CD MA TT	ON DISCLOSURE	STATEMENIT		Corazon D. Bucana					
TMY	ORMATI	ON DISCLOSURE	STATEMENT							
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•	A2	5,427,916	6/27/95	G	wirtz et al.	435		, 6	8/10/94	
	A3	5,599,681	2/4/97	Ep	ostein et al.	435		7.23	10/13/94	
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	C1				growth factor re s," J. Invest. Der				he hair follicle bulge 5, 1996.	
	C2	Bergler et al., " patients with or	The expression of cancer," Arch	of c	pidermal growth corhinolaryngol.,	factor : 246(3)	есер :121-	tors in the 125, 1989.	oral mucosa of	
	СЗ	Bergmann et al. evidence for aut	"Insulin-like g ocrine and para	row crin	th factor I overe e roles," Cancer	xpression Res., 5	on in 5:20(human pai 07-2011, 19	ocreatic cancer. 195.	
	C4 Bruns et al., "Blockade of the epidermal growth factor receptor signaling by a novel tyrosine kinase inhibitor leads to apoptosis of endothelial cells and therapy of burnan pancreatic carcinoma," Cancer Res., 60:2926-2935, 2000.								y a novel tyrosine n pancreatic	
	Bruns et al., "In vivo selection and characterization of metastatic variants from human pancreatic adenocarcinoma by using orthotopic implantation in nude mice," Neoplasia, 1:50-62, 1999.									
	C6	Chan et al., "A c Nat. Genet., 21:4		ski	n turnour is cause	d by a	tivat	ing mutation	ons in β-catenin,"	
	C7	Ciardiello et al., and protein kinas	"Antitumor act se A," <i>J. Nat'l</i> (ivity Can	of combined bleer Inst., 88:1770	ockade)-1776,	of ep 1996	idermal gr	owth factor receptor	

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EXAMINER: DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)

Page 2 of 3

Form PTO-1449 (modified)		Atty. Docket No. Serial No. UTSC:684US/SLH 10/010,763				
List of Patents and Publications for	Applicant's	Applicant Isaiah J. Fidler				
INFORMATION DISCLOSURE S	TATEMENT	Corazon D. Bucana				
(Use several sheets if necesse		Filing Date: November 2, 2001	Group: 1645			
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C	ther .	Art (Including Author, Title, Date Pertinent Pages, Etc.)
Exam. Init.	Ref. Des.	Citation
	C8	Gill et al., "Monoclonal anti-epidermal growth factor receptor antibodies which are inhibitors of epidermal growth factor binding and antagonists of epidermal growth factor binding and antagonists of epidermal growth factor-stimulated tyrosine protein kinase activity," J. Biol. Chem., 259:7755-7760, 1984.
	C9	Green and Couchman, "Differences in human skin between the epidermal growth factor receptor distribution detected by EGF binding and monoclonal antibody recognition," J. Invest. Dermatol., 85(3):239-245, 1985.
	C10	Green and Couchman, "Distribution of epidermal growth factor receptors in rat tissues during embryonic skin development, hair formation, and the adult hair growth cycle," J. Invest. Dermatol., 83(2):118-123, 1984.
	C11	Green et al., "Distribution and number of epidermal growth factor receptors in skin is related to epithelial cell growth," Dev. Biol., 100:506-512, 1983.
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List of Patents and Publications for Applicant's		Applicant Isaiah J. Fidler	
INFORMATION DISCLOSURE STATEMENT . (Use several sheets if necessary)		Corazon D. Bucana	
		Filing Date: November 2, 2001	Group: 1645
U.S. Patent Documents See Page 1	Foreign Patent Documents See Page 1		Other Art See Page I

(Other Art (Including Author, Title, Date Pertinent Pages, Etc.)				
Exam. Init.	Ref. Des.	Citation			
	C19	Murillas et al., "Expression of a dominant negative mutant of epidermal growth factor receptor in the epidermis of transgenic mice elicits striking alterations in hair follicle development and skin structure," EMBO J., 14(21):5216-5223, 1995.			
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